

From: [Mark Clift](#)
To: [Appeals:](#)
cc: [Mark Clift;](#)
Subject: FW: Appeal of Notification of Improperly DisbursedFunds
Date: Friday, March 11, 2011 10:49:47 AM
Attachments: [Response Maestro Services - 143029838 on 12-10-2010.pdf](#)
[Information provided to Karen Hulmes on 04-12-2010.pdf](#)
[Ruling is not Correct - Maestro Services 03-11-2011.pdf](#)

Dear USAC,

Your ruling is wrong.

Furthermore, I have signed documents from the school district requesting Maestro to service the items in question and your assigned investigator, Karen Hulmes was provided the information.

She was supplied the information and proof.

I will submit payment under protest, your ruling is wrong and your appeal process is frustrating.

Thank you

Mark Clift

405.650.4998

From: Mark Clift
Sent: Friday, December 10, 2010 11:05 AM
To: 'appeals@sl.universalservice.org'
Cc: Mark Clift
Subject: Appeal of Notification of Improperly DisbursedFunds - Maestro Services - 143029838

Dear USAC,

Maestro Services would like to appeal the notification of Improperly Disbursed Funds decision.

Maestro Computer and Cable Services
4100 Perimeter Drive, Suite 245

Oklahoma City, OK 73112

SPIN – 143029838

Form 471: Application Number – 550189

Funding Year – 2007

Applicant Name – Oklahoma City School District I-89

Billed Entity Number – 139831

Applicant Contact Number – Jane Kellogg

Furthermore, this information was investigated and cleared by Karen Hulmes on 4-12-2010, I have attached the associated backup:

Karen Hulmes – Program Compliance

khulmes@sl.universalservices.org

Please contact me if you have any questions concerning this information.

Mark Clift

Mark D. Clift



Innovative Technology Solutions

Maestro Services

Maestro Connections

2724 Woodland Creek Drive

Edmond OK 73034

tel: 405 650 4998

fax: 405 605 5673

www.maestroservices.com

www.maestroconnections.com

Mark Clift

From: Hulmes, Karen [KHULMES@sl.universalservice.org]
Sent: Tuesday, April 20, 2010 7:19 AM
To: Mark Clift
Subject: RE: Funding Year 471 - Application#550189, FRN 158739 - Liebert Units at Dewy Elementary and Grant High School were serviced by Maestro:

Mark,
I have what I need,

Thank you,
Karen

From: Mark Clift [mailto:mclift@sagenet.com]
Sent: Monday, April 19, 2010 4:18 PM
To: Hulmes, Karen
Subject: RE: Funding Year 471 - Application#550189, FRN 158739 - Liebert Units at Dewy Elementary and Grant High School were serviced by Maestro:

Hi Karen,

Please forward corrected Letter

Thank you,
Mark Clift

From: Hulmes, Karen [mailto:KHULMES@sl.universalservice.org]
Sent: Tuesday, April 13, 2010 8:55 AM
To: Mark Clift
Subject: RE: Funding Year 471 - Application#550189, FRN 158739 - Liebert Units at Dewy Elementary and Grant High School were serviced by Maestro:

Mark,
I have to send you a corrected letter. Can you answer the questions and send it back to me.

I will be sending it shortly.

Karen Hulmes

School and Libraries Division

Program Compliance

Voice 973 581-5116

Fax 973 599-6582

Mark Clift

From: Mark Clift [mclift@sagenet.com]
Sent: Monday, April 12, 2010 3:39 PM
To: 'Hulmes, Karen'
Cc: Mark Clift
Subject: FW: Funding Year 471 - Application#550189, FRN 158739 - Liebert Units at Dewey Elementary and Grant High School were serviced by Maestro:
Attachments: scan0039.pdf; OKC Schools Liebert Foundation _information Updated 03-11-2008.xls; DeweyFront.JPG; Grant Front.JPG

Hi Karen,

Our Liebert Service Contract included preventive maintenance on the 3 components of the Liebert "Little Glass House".

- 1) BMC Cooling Module
- 2) Battery Strings for the self contained UPS
- 3) Emergency Back-Up Fan

The Liebert Cabinets for Dewey and Grant had been transported from each school to the OKC Warehouse. The cabinets were not being utilized because the Map's program replaced the cabinets with Telecom Closets with conditioned air and power.

Our Maestro team serviced the cabinets, cleaned them and tested them, at the OKC Service Center. The cabinets were labeled and inspected for reassignment.

Please contact me, if you have any additional questions.

Thank you

Mark Clift

405.605.5625

Mar,
I am not clear on a few things for Grant High School I did not see that the unit was at the warehouse. In addition can you tell me what type of maintenance on equipment in storage, also the work order you sent was from 2006.

Thank you
Karen

Karen Hulmes

School and Libraries Division

Program Compliance

Voice 973 581-5116

Fax 973 599-6582

Email address

From: Mark Clift [mailto:mclift@sagenet.com]

Sent: Friday, April 09, 2010 9:28 AM

To: Hulmes, Karen

Cc: Mark Clift

Subject: Funding Year 471 - Application#550189, FRN 158739 - Liebert Units at Dewey Elementary and Grant High School were serviced by Maestro:

Good Morning Karen,

Concerning the letter of April 2, 2010, Maestro does not agree with the determination:

Liebert Cabinets that were located at Dewey Elementary and Grant High School were removed and transported by the OKC School District to their respective warehouse.

Maestro performed the required preventive maintenance service on each respective cabinet, Dewey and Grant, that were located at the warehouse.

Please review the attached maintenance schedule. All work was authorized and approved by the OKC School District.

Please contact me if you have any questions concerning this information.

Thank you

Mark D. Clift



Innovative Technology Solutions for the Future!

Maestro Services

mark@maestroservices.com

4100 Perimeter Center, Suite 245

Oklahoma City OK 73112

tel: 405 605 5625

fax: 405 605 5673

www.maestroservices.com



Schools and Libraries Division

April 2, 2010

Mark Clift

Maetro Computer and Cable Services

471 Application Number: 550189

FRN: 1580739

Response Due Date: April 13, 2010

Applicant - OKLAHOMA CITY SCHOOL DIST I-89

You were recently sent a request by the Program Compliance team to review your **Funding Year, 471 application #550189, FRN 1580739** to ensure that it is in compliance with the rules of the Universal Service program. This is a reminder that your response due date is approaching. We have not received a response to our initial contact with you.

The information still needed to complete the review is listed below. Answer all of the following questions and provide the requested documentation as indicated. Fax or e-mail the requested information to my attention.

Please send the requested information by the response due date **April 13, 2010**.

Item 1 - Finding 1

Based on review of the documentation that you have provided, USAC may need to rescind your funding commitment for FRN 1580739 as required by program rules. (The funding commitment may be rescinded for this FRN(s) and we will seek recovery of any disbursed funds from Service Provider for this FRN(s)) because the funding was improperly committed and/or disbursed for the following ineligible product(s)/service(s):

Maintenance was provided on two uninterruptible power supply units which were not installed. Average maintenance is \$3,686.00 pre-discount cost associated with these items. Based on the applicant's discount of 87%, the recovery amount is \$3,207.00.

Please confirm that you agree with the cost allocation and the commitment adjustment or recovery of improperly disbursed funds determination. ____ Yes or ☒ No

What to do if you disagree

Both units were serviced at the OKC School Warehouse. Jay Merritt authorized all work and received PO for payment.

Schools and Libraries Division - Correspondence Unit
30 Lanidex Plaza West, PO Box 685, Parsippany, NJ 07054-0685
Visit us online at: www.usac.org/sl

Mark Clift
4-9-2010



* Respond
On line
* update Address usac

Schools & Libraries Division

Notification of Improperly Disbursed Funds Recovery Letter

Funding Year 2007: July 1, 2007 - June 30, 2008

November 15, 2010

Mark Clift

Maestro Computer and Cable Services, Inc.

4100 Perimeter Center Drive, Suite 245

Oklahoma City, OK 73112

Re: SPIN:	143029838
Form 471 Application Number:	550189
Funding Year:	2007
FCC Registration Number:	
Applicant Name:	OKLAHOMA CITY SCHOOL DIST I-89
Billed Entity Number:	139831
Applicant Contact Person:	Jane Kellogg or Debi Sovereign

Our routine review of Schools and Libraries Program (Program) funding commitments has revealed certain applications where funds were disbursed in violation of Program rules.

In order to be sure that no funds are used in violation of Program rules, the Universal Service Administrative Company (USAC) must now recover these improper disbursements. The purpose of this letter is to inform you of the recoveries as required by Program rules, and to give you an opportunity to appeal this decision. USAC has determined the service provider is responsible for all or some of the Program rule violations. Therefore, the service provider is responsible to repay all or some of the funds disbursed in error.

This is NOT a bill. The next step in the recovery of improperly disbursed funds process is for USAC to issue you a Demand Payment Letter. The balance of the debt will be due within 30 days of that letter. Failure to pay the debt within 30 days from the date of the Demand Payment Letter could result in interest, late payment fees, administrative charges and implementation of the "Red Light Rule." The FCC's Red Light Rule requires USAC to dismiss pending FCC Form 471 applications if the entity responsible for paying the outstanding debt has not paid the debt, or otherwise made satisfactory arrangements to pay the debt within 30 days of the notice provided by USAC. For more information on the Red Light Rule, please see "Red Light Frequently Asked Questions (FAQs)" posted on the FCC website at http://www.fcc.gov/debt_collection/faq.html.

TO APPEAL THIS DECISION:

You have the option of filing an appeal with USAC or directly with the Federal Communications Commission (FCC).

If you wish to appeal the Notification of Improperly Disbursed Funds decision indicated in this letter to USAC your appeal must be received or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and email address (if available) for the person who can most readily discuss this appeal with us.

2. State outright that your letter is an appeal. Identify the date of the Notification of Improperly Disbursed Funds Recovery Letter and the Funding Request Number(s) (FRN) you are appealing. Your letter of appeal must include the

- Billed Entity Name,
- Form 471 Application Number,
- Billed Entity Number, and
- FCC Registration Number (FCC RN) from the top of your letter.

3. When explaining your appeal, copy the language or text from the Funding Disbursement Recovery Report included with this letter that is the subject of your appeal to allow USAC to more readily understand your appeal and respond appropriately. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal including any correspondence and documentation.

4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are a service provider, please provide a copy of your appeal to the applicant(s) affected by USAC's decision.

5. Provide an authorized signature on your letter of appeal. To submit your appeal to USAC by email, email your appeal to appeals@sl.universalservice.org. USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to us by fax, fax your appeal to (973) 599-6542.

To submit your appeal to us on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Division - Correspondence Unit
100 S. Jefferson Rd.
P. O. Box 902
Whippany, NJ 07981

For more information on submitting an appeal to USAC, please see the "Appeals Procedure" posted on our website.

If you wish to appeal a decision in this letter to the FCC, you should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted on our website. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

Funding Disbursement Recovery Report
for Form 471 Application Number: 550189

Funding Request Number:	1580739
Contract Number:	9143-Mtc-Net
Services Ordered:	INTERNAL CONNECTIONS MNT
Billing Account Number:	
Funding Commitment:	\$86,564.93
Funds Disbursed to Date:	\$86,564.93
Funds to be Recovered from Service Provider:	\$3,207.00

Disbursed Funds Recovery Explanation:

After a thorough review, it was determined \$3,207.00 was improperly disbursed for this funding request. During the course of an audit it was determined that funding was disbursed for the following ineligible items: maintenance service was performed on two power supply units that were not installed. The pre-discount cost associated with these items is \$3,686.00. At the applicants 87 percent discount rate this resulted in an improper disbursement of \$3,207.00. FCC rules provide that funding may be approved only for eligible products and/or services. The USAC web site contains a list of eligible products and/or services. See the web site, www.universalservice.org/sl/about/eligible-services-list.aspx for the Eligible Services List. On the SPAC Form, the authorized person certifies at Item 10 that the service provider has billed its customer for services deemed eligible for support. Therefore, USAC has determined that the service provider is responsible for this rule violation. Accordingly, USAC is seeking recovery of \$3,207.00 of improperly disbursed funds from the service provider.

Mark Clift

Maestro Computer and Cable Services, Inc.

4100 Perimeter Center Drive, Suite 245

Oklahoma City, OK 73112 0130

Demand Payment Letter

SECOND REQUEST

(Funding Year 2007: July 1, 2007 - June 30, 2008)

March 7, 2011

Mark Clift
Maestro Computer and Cable Services, Inc.
2724 Woodland Creek Drive
Edmond, OK 73034 0130

- PAST DUE NOTICE -

THIS NOTICE PROVIDES IMPORTANT INFORMATION ABOUT YOUR
ACCOUNT AND YOUR RIGHTS AND OBLIGATIONS UNDER LAW

Re: SPIN:	143029838
Form 471 Application Number:	550189
Funding Year:	2007
FCC Registration Number:	
Applicant Name:	OKLAHOMA CITY SCHOOL DIST I-89
Billed Entity Number:	139831
Applicant Contact Person:	Jane Kellogg or Debi Sovereign
Payment Due By:	3/7/2011

You were recently sent a Demand Payment Letter informing you of the need to recover funds for the Funding Request Number(s) (FRNs) listed on the Funding Disbursement Recovery Report (Report) attached to this letter. Our records indicate that you have not responded to the Demand Payment Letter. As of 3/7/2011, the debt is past due and delinquent.

THE FOLLOWING PROVISIONS CONTAIN IMPORTANT INFORMATION AND A DESCRIPTION OF LEGAL RIGHTS, OBLIGATIONS, AND OPPORTUNITIES

1. Debtor is cautioned that failure to make the demanded payment or make other satisfactory arrangements will result in further sanctions, including, but not limited to, the initiation of proceedings to recover the outstanding debt, together with any applicable administrative charges, penalties, and interest pursuant to the provisions of the Debt Collection Act of 1982 (Public Law 97-365) and the Debt Collection Improvement Act of 1996 (Public Law 104-134), as amended (the DCIA), as set forth below.
2. If we do not receive full payment of the outstanding debt within 30 days of the date of this letter (Demand Date), pursuant to the DCIA, you may incur additional charges and costs, and the debt may be transferred to the Federal Communications Commission (Commission or FCC) and/or the United States Department of Treasury (Treasury) for debt collection. The FCC has determined that the funds are owed to the United States pursuant to the provisions of 31 U.S.C. § 3701 and 47 U.S.C. § 254. Because the unpaid amount is a debt owed to the United States, we are required by the DCIA to impose interest and to inform you what may happen

if you do not pay the full outstanding debt. Under the DCIA, the United States will charge interest from the date of this notice, you will be required to pay the administrative costs of processing and handling a delinquent debt as set by the Treasury (currently 18% of the debt), and you will be charged an additional penalty of 6% a year for any part of the debt that is more than 90 days past due. Interest on the outstanding debt (DCIA Interest) will be assessed at the published investment rate for the Treasury tax and loan accounts (Treasury Current Value of Funds Rate). If, however, you pay the full amount of the outstanding debt within 30 days of the Demand Date, the DCIA Interest will be waived. These requirements are set out at 31 U.S.C. § 3717.

3. When we transfer the debt (to the Commission or later to the Treasury), you may be subject to other administrative proceedings. Your failure to pay the debt may be reported to credit bureaus (see 31 U.S.C. § 3711(e)), the debt will be considered for administrative offset (see 31 U.S.C. § 3716), the debt may be further transferred to collection agencies (see 31 U.S.C. §§ 3711 & 3718), and also the debt may be referred to the United States Department of Justice or agency counsel for litigation. In that situation, you may be subject to additional administrative costs that result from the litigation. Moreover, pursuant to 31 U.S.C. § 3720 (B), a person owing an outstanding non-tax debt that is in delinquent status shall not be eligible for Federal financial assistance. You should be aware that the discharge of any portion of the debt may be reported to the Internal Revenue Service as potential taxable income.

Opportunity of Inspection and Review

4. You have an opportunity to inspect and copy the invoices and the records pertinent to the debt. The Notification of Improperly Disbursed Funds Recovery Letter constituted notice of your opportunity to appeal the validity of the debt.

Opportunity to Request Repayment Agreement

5. You have an opportunity to request a written repayment agreement (which includes a Promissory Note) to pay the full amount of the debt. In that case, however, you must first provide evidence that demonstrates financial inability to pay the debt in one payment. Your claim of financial inability to pay in one payment is subject to verification (see 31 C.F.R. § 901.8). If your request is approved for further processing, you will be required to execute a written agreement suitable to the Commission. You should be aware that repayment agreements regularly impose a number of obligations on the debtor, including additional administrative charges, audit obligations, and surety bond requirements. For more information on the obligations associated with repayment agreements, see "USAC Repayment Request Procedure" <http://www.usac.org/fund-administration/contributors/paying-your-invoice/payment-extension-plans.aspx>.

If you desire to exercise any of the above described rights, you must do so in writing which must be delivered to and received at the address below within 30 (thirty) days of the Demand Date. Any required evidence must be submitted at the same time that you submit your request. Failure to provide the written request (and, as appropriate, the required evidence) within the stated time is a waiver of these opportunities.

You may notify us in writing by mail or facsimile transmission at the following address and telephone number:

Schools and Libraries Division - Program Compliance II,
Dept. 125 - Correspondence Unit,
100 South Jefferson Road,
Whippany, NJ 07981
Phone Number: 973-581-5395
Fax Number: 973-599-6582

If USAC has determined that both the applicant and the service provider are responsible for a program rule violation, then, pursuant to the Order on Reconsideration and Fourth Report and Order (FCC 04-181) (Fourth Report and Order), USAC will seek recovery of the improperly disbursed amount from BOTH parties and will continue to seek recovery until either or both parties have fully paid the debt. If USAC has determined that both the applicant and the service provider are responsible for a program rule violation, this will be indicated in the Disbursed Funds Recovery Explanation on the Funding Disbursement Recovery Report.

If USAC is attempting to collect all or part of the debt from both the applicant and the service provider, then you should work with the applicant to determine who will be repaying the debt to avoid duplicate payment. Please note, however, that the debt is the responsibility of both the applicant and service provider. Therefore, you are responsible for ensuring that the debt is paid in a timely manner.

Please remit payment for the full Funds to be Recovered from Service Provider amount shown in the Report. To ensure that your payment is properly credited, please include a copy of the Report with your check. Make your check payable to the Universal Service Administrative Company (USAC).

If sending payment by U. S. Postal Service or major courier service (e.g. Airborne, Federal Express, and UPS) please send check payments to:

Bank of America
c/o Universal Service Administrative Company (105056)
1075 Loop Road
Atlanta, GA 30337
Phone 404-209-6377

If you are located in the Atlanta area and use a local messenger rather than a major courier service, please address and deliver the package to:

Universal Service Administrative Company
P.O. Box 105056
Atlanta, GA 30348-5056
Phone 404-209-6377

Local messenger service should deliver to the Lockbox Receiving Window at the above address.

PAYMENT MUST BE RETURNED IMMEDIATELY.

Complete program information is posted to the SLD section of the USAC web site at www.usac.org/sl/. You may also contact the SLD Technical Client Service Bureau by e-mail using the "Submit a Question" link on the SLD web site, by fax at 1-888-276-8736 or by phone at 1-888-203-8100.

Universal Service Administrative Company
Schools and Libraries Division

cc: Jane Kellogg or Debi Sovereign
OKLAHOMA CITY SCHOOL DIST I-89

Funding Disbursement Recovery Report
Form 471 Application Number: 550189

Funding Request Number:	1580739
Contract Number:	9143-Mtc-Net
Services Ordered:	INTERNAL CONNECTIONS MNT
Billing Account Number:	
Funding Commitment:	\$86,564.93
Funds Disbursed to Date:	\$86,564.93
Funds to be Recovered from Service Provider:	¹ \$3,207.00

After a thorough review, it was determined \$3,207.00 was improperly disbursed for this funding request. During the course of an audit it was determined that funding was disbursed for the following ineligible items: maintenance service was performed on two power supply units that were not installed. The pre-discount cost associated with these items is \$3,686.00. At the applicants 87 percent discount rate this resulted in an improper disbursement of \$3,207.00. FCC rules provide that funding may be approved only for eligible products and/or services. The USAC web site contains a list of eligible products and/or services. See the web site, www.universalservice.org/sl/about/eligible-services-list.aspx for the Eligible Services List. On the SPAC Form, the authorized person certifies at Item 10 that the service provider has billed its customer for services deemed eligible for support. Therefore, USAC has determined that the service provider is responsible for this rule violation. Accordingly, USAC is seeking recovery of \$3,207.00 of improperly disbursed funds from the service provider.

PLEASE SEND A COPY OF THIS PAGE WITH YOUR
CHECK TO ENSURE TIMELY PROCESSING

¹Please note that if the Funds to be Recovered from the Service Provider is less than what was reported on the Notification of Improperly Disbursed Funds Letter or the 1st Demand Payment Letter, it's because you have partially repaid the debt or because the applicant has partially repaid the debt.